

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ROBERT H. REEHTEN, )  
                        )  
                        )  
Plaintiff,            )  
                        )  
                        )  
v.                     ) Case No. 4:10CV2159 FRB  
                        )  
                        )  
SHAWN MAYBERRY, et al., )  
                        )  
                        )  
Defendants.           )

MEMORANDUM AND ORDER

This matter is before the Court upon review of the file. All matters are pending before the undersigned United States Magistrate Judge, with consent of the parties, pursuant to 28 U.S.C. § 636(c).

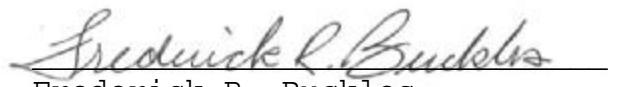
On May 23, 2012, plaintiff filed an Amended Complaint adding two defendants identified as Unknown Female Jailer and Unknown Male Jailer. (Docket No. 67). Rule 4(m) provides that the Court, after notice to the plaintiff, is directed to dismiss an action against a defendant upon whom service has not been made within 120 days after the filing of the complaint. The Rule 4(m) period for service expired in this matter on September 20, 2012. To date, there have been no substitutions for the "Unknown" defendants, and plaintiff has failed to demonstrate to the Court that "Unknown Female Jailer" or "Unknown Male Jailer" have been served in this matter.

Therefore,

**IT IS HEREBY ORDERED** that not later than October 26,

2012, plaintiff shall show good cause, in writing, why his claims should not be dismissed without prejudice as to these defendants for failure to timely effectuate service pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

Plaintiff is cautioned that failure to timely comply with this Order may result in the imposition of sanctions, including the dismissal of his claims against these defendants.



Frederick R. Buckles  
Frederick R. Buckles  
UNITED STATES MAGISTRATE JUDGE

Dated this 12th day of October, 2012.